PTO/SB/21 (08-00) Approved for use through 10/31/2002 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE act of 1995, no persona are required to respond to a collection of information unless it displays a valid OMB control number Application Number 10/719.114 TRANSMITTAL FORM Filing Date November 21, 2003 (to be used for all correspondence after initial filing) First Named Inventor Chia Group Art Unit 3627 Examiner Name unassigned Attorney Docket Number 14326US02 Total Number of Pages in This Submission ENCLOSURES (check all that apply) Fee Transmittal Form Assignment Papers After Allowance Communication (for an Application) to Group Fee Attached Drawing(s) (sheets) Appeal Communication to Board Amendment/Reply of Appeals and Interferences Licensing-related Papers After Final Appeal Communication to Group Petition (Appeal Notice, Brief, Reply Brief) Affidavits/declaration(s) Petition to Convert to a Proprietary Information Extension of Time Request Provisional Application Status Letter Express Abandonment Request Power of Attorney, Revocation Other Enclosure(s) (please Change of Correspondence Information Disclosure identify below): Address Statement Terminal Disclaimer PTO 1449/08A with 47 Return-receipt post card references Request for Refund Certified Copy of Priority CD Number of CD(s) Document(s) RECEIVED Response to Missing Parts/ Incomplete Application MAR 2 6 2004 Response to Missing Parts Remarks under 37 CFR 1.52 or 1.53 GROUP 3600 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual Name

McAndrews Held & Malloy, Ltd.

Signature
Date

March 18, 2004

CERTIFICATE OF MAILING

Thereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope

addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 18, 2004

Kevin E. Borg

Name (Print/type)

Signature

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /F.A./

Registration No. (Attorney/Agent)

51,486

March 18, 2004

Date

PATENT Attorney Docket No. 14326US02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Applic	ation of:)	CERTIFICATE OF MAILING
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T	. Chia et al.)	I hereby certify that this correspondence
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HANDSETS)	Kevin E. Borg
)	Reg. No. 51,486
Examiner:	unassigned)	
)	
Group Art U	nit: 3627		

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT AFTER APPLICATION FILING DATE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

RECEIVED
MAR 2 6 2004

Dear Sir:

GROUP 3600

ENCLOSURES

Enclosed are the following:

- * A two-page, completed PTO form 1449.
- Each of the 47 patented references is listed in the enclosed form 1449 and not previously provided to or by the PTO in this application. Copies of the four foreign references are enclosed herewith.

FEE DETERMINATION

No fee is believed to be due.

* The applicant(s) believe(s) that this statement and enclosures are being filed before the first Office action on the merits has been mailed by the PTO. The basis of this belief is that no Office action on the merits appears to have been received by the undersigned to date.

FEE PAYMENT

The following arrangements have been made to pay the fees calculated above:

* No fee is believed to be due.

REMARKS

The Applicant neither agrees nor disagrees with the following notations that accompanied the references listed below in a prior art search performed by Augustine Associates, Ltd., 2981 Fox Tail Court, Woodbridge, VA 22192, dated April 22, 2003:

2003/0061384	"para (0015)"	
2003/0037075	"para (0166)"	DECEME
2003/0033599	"wireless software download, see (0039)"	RECEIVED
2002/0157090	"update software, Claim 17"	MAR 2 6 2004
2002/0152005	"wireless link upgrade"	
2002/0131404	"can be used with games (0004)"	GROUP 3600
2002/0116261	"update software (0058)"	@11001 2001
2001/0029178	"Claim 1, upgrade"	
6,438,585	"mobile link"	
6,279,153	"ROM update on wireless link abstract	
	(170 page patent - front page and claims on	ly provided here)"
6,198,946	"wireless upgrade"	
6,163,274	"real-time update"	
6,126,327	"flash update	
	(265 page patent - front page and claims on	
5,790,974	"'perceptual' software agent that updates stor	red entries"
5,261,055	"wireless upgrade"	
5,598,534	"PDA link system"	
5,666,293	"loaded into non-volative[sic] memory. (Claims 2 and 3, game

REQUEST FOR CONSIDERATION

This paper and enclosures are believed to be entitled to consideration under 37 C.F.R. § 1.97, based on the facts stated above. The Examiner is requested to initial a copy of the enclosed

PTO-1449 and return to the applicants to indicate consideration of the enclosed references.

The Commissioner is hereby authorized to charge any additional fees which are presently required, or credit any overpayment, to Deposit Account No. 13-0017.

Date: March 18, 2004

Respectfully submitted,

Kevin E. Borg Reg. No. 51,486 Agent for applicants

McAndrews, Held & Malloy, Ltd. 34th Floor 500 West Madison Street Chicago, IL 60661 (312) 775-8000 REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

XAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	5,261,055	11/09/1993	Moran et al.	395/275	02/19/1992
	5,442,771	08/15/1995	Filepp et al.	395/650	11/26/1993
	5,479,637	12/26/1995	Lisimaque et al.	395/430	08/28/1991
	5,579,522	11/26/1996	Christeson et al.	395/652	07/24/1995
	5,596,738	01/21/1997	Pope	395/430	04/12/1995
	5,598,534	01/28/1997	Haas	395/200.09	09/21/1994
	5,608,910	03/04/1997	Shimakura	395/670	05/09/1994
	5,623,604	04/22/1997	Russell et al.	395/200.1	11/18/1992
	5,666,293	09/09/1997	Metz et al.	395/200.5	07/03/1995
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	6,009,497	12/28/1999	Wells et al.	711/103	11/09/1998
	6,038,636	03/14/2000	Brown, III et al.	711/103	04/27/1998
	6,064,814	05/16/2000	Capriles et al.	395/701	11/13/1997
	6,073,206	06/06/2000	Piwonka et al.	711/102	04/30/1998
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	2001/0048728	12/06/2001	Peng	375/354	02/01/2001
	2002/0078209	06/20/2002	Peng	709/227	12/15/2000

EXAMINER /Faris Almatrahi/ DATE CONSIDERED 05/23/2008

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include the communication to applicant.

Rev. Dec.-99

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MAR 2 6 2004

Page 2 of 2
FORM PTO-1449

SERIAL NO.

10/719,114

LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE
STATEMENT

STATEMENT

Page 2 of 2

SERIAL NO.

10/719,114

GROUP ART UNIT
November 21, 2003

GROUP ART UNIT
November 21, 2003

APPLICANT(S): Chia et al.

REFERENCE DESIGNATION U.S. PATENT DOCUMENTS EXAMINER DOCUMENT CLASS/ FII ING ΙΝΙΤΙΔΙ NUMBER DATE NAME SUBCLASS DATE 2002/0116261 08/22/2002 Moskowitz et al. 705/14 02/20/2001 2002/0131404 09/19/2002 Mehta et al. 370/352 11/28/2001 2002/0152005 10/17/2002 Bagnordi 700/234 04/12/2001 10/24/2002 709/217 2002/0156863 Pena 04/23/2001 2002/0157090 10/24/2002 Anton, Jr. 717/178 04/20/2001 2003/0033599 02/13/2003 Raiaram et al. 08/10/2001 2003/0037075 02/20/2003 Hannigan et al. 707/500 05/02/2002 2003/0061384 08/27/2003 Nakatani 709/245 09/25/2001

FOREIGN PATENT DOCUMENTS EXAMINER DOCUMENT CLASS/ TRANSLATION INITIAL NUMBER DATE COUNTRY SUBCLASS YES NO 8202626 08/09/1996 Japan X 2,339,923 03/02/2000 Canada 2002-0034228 05/09/2000 Korea 2001-0100328 11/14/2001 Korea

EXAMINER INITIAL	OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

MAR 2 6 2004

GROUP 3600

EXAMINER	/Faris Almatrahi/	DATE CONSIDERED	05/23/2008
TOTAL A STREET	Y 1 1 1 1 1 0 0	 	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Rev. Feb.-97

(use several sheets if necessary)

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